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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,431	03/30/2004	Alexei Kojenov	SJO920030085US1	5731
46917 7590 06/07/2007 KONRAD RAYNES & VICTOR, LLP. ATTN: IBM37 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212			EXAMINER DAYE, CHELCIE L	
			ART UNIT 2161	PAPER NUMBER
			MAIL DATE 06/07/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/814,431	KOJENOV ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chelcie Daye	2161	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Chelcie Daye. (3) Bill Konrad.  
 (2) Sana Al-Hashemi. (4) \_\_\_\_\_.

Date of Interview: 06 June 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1.

Identification of prior art discussed: Maurer (US Patent No. US Patent Application No. 20030065780).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
**SANA AL-HASHEMI**  
**PRIMARY EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Attached Agenda for Issues Discussed... In particular, Mr Konrad argued with reference to the first limitation within the claim wherein "backing up contents of a source device at a first device at a first client station as at least one object of a database", and how the Maurer reference did not disclose backing up the contents to an object of a database, but instead to a file in a filesystem. Examiners completely disagreed. Examiner stated that the applicants argument is invalid because a database and a file within a filesystem are definitely interchangeable. It was suggested that if the applicant means more by a database than what is broadly interpreted, further explanations/amendments would be needed.

### Agenda for Applicant Initiated Interview Request

Application No.: 10/814,431  
Examiner: Chelcie L. Daye

First Named Application: A. KOJENOV et al.  
Art Unit: 2161 Status of Application: RCE filed

**Tentative Participants:**

(1) William K. Konrad (2) Chelcie L. Daye  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

**Proposed Date of Interview:** June 6, 2007

**Proposed Time:** 01:00 PM (Eastern)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit to be shown or demonstrated: ☐ Yes ☒ No

If yes, provide a brief description: \_\_\_\_\_

### Issues to be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rejection</u>	<u>Claims 1-12</u>	<u>Maurer; Hutchinson</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Agenda for Interview:**

- 1) Discuss Examiner's interpretation of limitations of claims 1-12 because applicants do not understand Examiner's interpretation.
- 2) Identify claim amendments in accordance with Examiner's claim interpretation to distinguish cited references.

An Interview was conducted on the above-identified application on June 6, 2007.

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This Application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)